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PATENT
Docket No. 58663US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Joel R. DUFRESNE et al.)	Group Art Unit:	1743
)		
Serial No.: 10/682,597)	Examiner:	Lyle Alexander
Confirmation No.: 9772)		
)		
Filed: 9 October 2003)		
)		
For: MULTILAYER PROCESSING DEVICES AND METHODS)		

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed 1 June 2007, Applicants elect, with traverse, Group I (claims 1-30), drawn to a sample processing device and method of making comprising a first light transmissive layer and a second control layer. Applicants reserve the right to pursue examination of the non-elected claims in continuation or divisional applications.

Applicants respectfully request reconsideration and withdrawal or modification of the restriction requirement. It is respectfully submitted that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner. That is, all the claims are so interrelated that a search of one group of claims will reveal art to the others.

Were restriction to be effected between the claims of Groups I and II, a separate examination of the claims in these two groups would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II would have to be as rigorous as when only the claims of Group I, for example, were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I and II, it would place an undue burden by requiring payment of two separate filing fees for

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examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19th day of June, 2007, at 9:58 a.m. (Central Time).

By: [Signature]

Name: Kevin W. Raasch

19 JUNE 2007
Date

KWR/reg

Respectfully submitted

By

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